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January 29, 2008

Via Facsimile (212)805-7906 and First Class U.S. Mail

Honorable Denny Chin
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Energy Brands, Inc. v. Spiritual Brands, Inc./Case No. 07-10644

Application
GRANTED only to the
extent defendants' time to
answer is extended until
2/19/08. A trial
conference will be held
on 2/29/08
at 10:30 am.

SO ORDERED.

Dear Judge Chin:

Approximately two (2) weeks ago I was retained to represent Defendants Spiritual Brands, Inc. and Elicko Taieb in the above-referenced matter. I write to request an extension of time until March 15, 2008 to file Defendants' Answer and/or any permissible motion to dismiss.

Plaintiff served its Complaint on Defendant Taieb on December 3, 2007 and on Defendant Spiritual Brands, Inc. on December 19, 2007, making Defendants' Answers due December 23, 2007 and January 8, 2008 respectively. After my retention, I had some preliminary discussions with Plaintiff's counsel, S. Zev Pamass, Esq., regarding settlement and, to facilitate continuation of those discussions, Mr. Pamass agreed to, and we thereafter stipulated to, an extension of time until January 28, 2008 for Defendants to file an Answer and/or any motion to dismiss.

I hereby request a further extension, until March 15, 2008, to file Defendants' Answer and/or any permissible motion to dismiss to continue the aforesaid settlement discussions, which remain ongoing, to investigate the allegations Plaintiff

WS/PJ
2/4/08

has made in its Complaint and to assess the possibility of moving to dismiss the Complaint for lack of personal jurisdiction. Plaintiff's counsel has informed me that he will not consent to a further extension of time because Defendants "have already had ample opportunity to prepare and submit their answers." Furthermore, I have not made any previous requests of the Court for an extension of time in this matter. Thank you.

Sincerely,


Scott Zarin, Esq.

cc: S. Zev Parnass, Esq. (via e-mail and facsimile)